

PROCLAMATION

BY THE

Governor of the State of Texas

41-1813

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14 of the Constitution of Texas, I hereby veto House Bill 1555 for the following reasons:

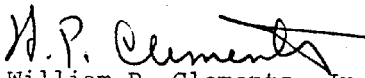
This bill makes major changes in the open meetings law that by and large is working well in Texas. The first change allows any person in the entire world to sue in court to stop or reverse the action of a governing body. Under current law it has to be an "interested" person, rather than any person in the world. I can't believe the people of Texas want this.

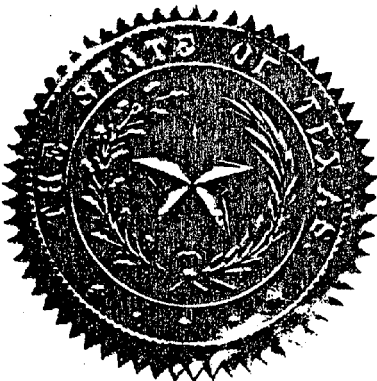
Secondly, when would the actions of a governing body be complete if any person can get these actions reversed. What happens to an innocent third party that might be awarded a contract and performs the duties according to the contract, and finds the actions of the governing body are reversed or voided. Rather than affording protection for the public's right to know what their governing body is doing (which I feel the present law does), this bill would create havoc with innocent third parties who relied on the actions of the governing body.

Two years ago when I vetoed Senate Bill 1025, one of the reasons I gave for its veto was its provision for awarding attorney's fees and yet making no provision for appropriations to governmental bodies to pay these fees and other costs of litigation. This bill provides essentially the same feature, and I still object to it. It would absolutely encourage litigation, adding to our overcrowded court dockets and unnecessarily hamstringing governmental bodies all over this state.

There are all types of governmental bodies in Texas. Most of them are served by people at no cost. They feel it is their civic duty to serve. To have them suddenly facing endless court actions for doing something they felt was necessary is to discourage people from serving in these important jobs, rather than encouraging them to serve.

Respectfully,


William P. Clements, Jr.
Governor



Filed in the Office of
Secretary of State

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